

FIBER MATERIALS, INC.

... for materials ingenuity



JUN 13 1983

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SEMS DocID 621059

June 9, 1983

Mr. David Boulter, Director of Licensing
Department of Environmental Protection
Bureau of Oil & Hazardous Materials Control
State House Station #17
Augusta, ME 04333

Dear Mr. Boulter:

Recently, I received a copy of the March 1983, "Hazardous Waste Management Rules" adopted under 38 M.R.S.A., Section 1303-A(1). After reviewing it I noticed that Chapter 850(5) now states that the volume of hazardous wastes allowed to be generated by a "Small Quantity Generator" is 440.92 lbs. or less per month.

Because of this new rule, I am asking that you rescind my letter of November 15, 1982, in which I requested a status change from a hazardous waste storage facility to a small quantity generator.

Instead, I now wish to have Fiber Materials, Incorporated be listed as a 90 day generator under Chapter 851, Section 8B and CFR 40, 262.34 (copies attached). This would entitle FMI to accumulate hazardous wastes on site for ninety days or less without a license provided we adhere to the rules set forth in the sections mentioned above.

Please advise me on this status change.

Sincerely,

Wendee Wright
Hazardous Waste Manager

WW/vmm

cc: Ms. Margaret Leshar - EPA, Boston
✓Mr. William Sarro - EPA, Boston

B. A generator may accumulate hazardous waste on the site of its generation for ninety (90) days or less without a license, provided that:

- (1) All such waste is transported off-site before or on the 90th day;
- (2) The waste is placed in containers which meet the requirements of Section 8A(1) of this rule and which are managed in accordance with standards contained in Chapter 854 of the Department's rules and in 40 CFR 265, Subpart I;
- (3) The date upon which each period of accumulation begins is clearly marked and visible for inspection on each container;
- (4) Each container is properly labeled and marked as required by Section 8A(2), (3) and (4) of this rule; and
- (5) The generator complies with all requirements for generators of hazardous waste imposed by 40 CFR Part 264, Subparts C & D and Part 264.16.

Title 40—Protection of Environment

CFR:

§ 262.34 Accumulation time.

(a) A generator may accumulate hazardous waste on-site for 90 days or less without a permit or without having interim status provided that:

(1) The waste is placed in containers and the generator complies with Subpart I of 40 CFR Part 265, or the waste is placed in tanks and the generator complies with Subpart J of 40 CFR Part 265 except § 265.193;

(2) The date upon which each period of accumulation begins is clearly marked and visible for inspection on each container;

(3) While being accumulated on-site, each container and tank is labeled or marked clearly with the words, "Hazardous Waste"; and

(4) The generator complies with the requirements for owners or operators in Subparts C and D in 40 CFR Part 265 and with § 265.16.

(b) A generator who accumulates hazardous waste for more than 90 days is an operator of a storage facility and is subject to the requirements of 40 CFR Parts 264 and 265 and the permit requirements of 40 CFR Parts 122 unless he has been granted an extension to the 90-day period. Such extension may be granted by EPA if hazardous wastes must remain on-site for longer than 90 days due to unforeseen, temporary, and uncontrollable circumstances. An extension of up to 30 days may be granted at the discretion of the Regional Administrator on a case-by-case basis.